

Customer Service/Transparency/Accountability/Performance Committee Meeting

Monday November 8, 2010

House Room 1, Virginia State Capitol
Richmond, VA

Attendees: Heather Cox, Delegate Bob Brink, Secretary Lisa Hicks-Thomas, Maurice McTigue, Marcia Gilliam, Bruce Gemmill, Suzy Kelly (by phone), Senator Mark Obenshain (by phone), Mike Thompson, Matt Bruning

MINUTES

Chairwoman Cox brought the committee to order at 3:03.

Presentation – E-Notary and Digital Signatures – Dennis Reynolds, TCi-USA

- Mr. Reynolds noted that he previously served in the North Carolina legislature and worked on technology issues there and subsequently in the private sector. He noted that DGIF was one of the first state agencies in the country to use digital signatures for internal purposes. DMV is also using similar technology, as are DMME and the Secretary of the Commonwealth. He outlined some of the technology available to use interactive forms and user-friendly data entry access.
- Comments: Mr. McTigue asked about any court challenges to it being a binding document.

Presentation – Update on Secretary of the Commonwealth’s Electronic Usage – Jennifer Aulgur and Chris Frink

- Ms. Aulgur noted that all board and commission nominations and submissions are now online. Submitters receive an automated response and also generates all the relevant information into a database. They hope to make changes to go 100% paperless in the appointment process. Mr. Frink discussed lobbyist registration and disclosure form submissions. He noted that the registration process was implemented in 1999 and still requires mailing in information. The disclosure form also still needs to be printed out and mailed or faxed in to the office pursuant to the Code.
- Comments: Chairwoman Cox asked about feedback received. Ms. Aulgur noted that the original log-on was cumbersome, but they made changes including the ability to upload resumes. She noted that savings were realized through the automation of the process. Chairwoman Cox asked whether other Cabinet members are using this technology. Mr. McTigue asked about security checks, which Ms. Aulgur noted is being addressed, especially on internet security. Mr. McTigue asked if manual actions are still required, which Ms. Aulgur noted there are still some that remain, but they are working on it. Secretary Hicks-Thomas asked about allowing others to view submitted information, which Ms. Aulgur noted they are working on. Delegate Brink asked about what format documents could be uploaded, which Ms. Aulgur noted was word or pdf. Delegate Brink asked about the possibility of higher education applications, which Ms. Aulgur noted was a good idea and she would follow up with them. Mr. McTigue asked about who has access to the information and how long is it retained. Ms. Aulgur noted that it will be retained throughout the course of the Governor’s Administration for consideration and noted there is some achieved information based on record retention schedules. Delegate Brink asked about funding to improve the lobbyist registration and disclosure requirements, which Deputy Secretary Christie Heath noted

could be funded from their technology fund. Delegate Brink asked about altering the fee schedule for those submitted online, which Mr. Frink said does not exist. Mr. McTigue noted that the Commission already recommended changing the publishing definition which might address these issues and mentioned other sensitive information that is access electronically. Mr. Frink noted there are mandates on record retention and requirements for signatures. Mr. McTigue asked about the search capability of these forms. Mr. Frink noted that type of service became available on the Secretary's website in 2005. Chairwoman Cox noted there are potential statutory changes that would be necessary for greater electronic usage. Mr. Gemmill suggested that the search component could be something to discuss with a new vendor.

Discussion – Committee Identified Ideas

- Delegate Brink asked about training and continuing education programs, should be broadened to include them in examining electronic offerings. Mr. Bruning noted that several of the ideas selected by the committee members have already been achieved or are better addressed in another committee.
- Sunset Advisory Commission
 - Chairwoman Cox suggested that a longer review schedule for examining programs to ensure that they are the right programs and entities at the right time and not static. Delegate Brink mentioned the idea of review the need and efficacy of programs and agencies are worthwhile, but on the regulatory sphere it poses problems which could be addressed in legislation. Ms. Gilliam noted her support, but asked about the determination of the time frame for each agency. Mr. McTigue noted he has worked with the Texas Commission and the review process is good but the legislative action has been less than stellar. He noted that the timeline should be shorter than the 10 years. He mentioned that it needs to be robust to give it teeth so it cannot be circumvented. Ensuring that it requires an affirmative action to keep an agency and program. Secretary Hicks-Thomas asked about the number of agencies that were really eliminated as opposed to consolidated or popped up somewhere else. Mr. McTigue noted that some were actually eliminated because they were no longer applicable. Mr. Thompson noted this is a natural progression of what Virginia is already doing to evaluate what government is doing. Chairwoman Cox noted that the recommendation does not address the specifics of what the sunseting rules of engagement that are important. She also asked about if regulations should be included. Mr. McTigue noted that regulations are tied into the statutory authority and whether they are appropriate. Secretary Hicks-Thomas noted that the review of which agencies are doing which functions could show duplication and better alignment. Mr. McTigue noted that Sunset Commission can identify mission creep and allows for redefining core businesses. Secretary Hicks-Thomas asked about the Code Commission, which Delegate Brink noted was more on identifying conflicts in the Code. Mr. McTigue noted there could be additional details included for the full Commission meeting.
 - *Recommendation: Create a Virginia Sunset Advisory Commission to review and evaluate all state government created agencies and programs on a cyclical basis. Implement sunset legislation on all agencies and programs that requires proactive legislation to be passed to*

continue, alter or review their existence on a cyclical basis. An optimal time period for these reviews should be determined to achieve a balance between workload of the Commission and effective frequency of reviews.

- Approved unanimously.

➤ Regional Teleconferencing Capabilities

- Delegate Brink noted the need for stable capabilities. Mr. McTigue noted that it needs to be explicit that the facilities need to be open to all government organizations.
- *Recommendation: The Commonwealth should maintain an inventory of all state-owned and maintained facilities with capacity for video-conferencing. There should be at least one location in each region of the Commonwealth designated as the main outlet for video-conferencing available for all government agencies that would be utilized for meetings and training for state government in order to limit unnecessary travel.*
- Approved unanimously.

➤ State Employee Suggestion Program

- Secretary Hicks-Thomas noted they have reached out to private sector for their best practices that use more annual contest approaches which garner more proposals as opposed to the current continual program. Mr. Thompson asked about the current program, which Secretary Hicks-Thomas noted there is a savings retention aspect but there is difficulty in delineating what is normal course of someone's employment. Ms. Gilliam asked about the funding available in the PIF. Delegate Brink noted the difficulty of determining the actual savings realized. Ms. Kelly asked about the Manhattan Project concept advanced by Congressman Randy Forbes to include the private sector. Chairwoman Cox noted that the committee should go forward on the current concept but further examine how to involve the private sector. She also offered to gather additional information on incentives provided by the private sector through their suggestion program.
- *Recommendation: The Productivity Investment Fund should be enhanced to fully develop and implement creative proposals to improve government services.*
- *Recommendation: The Commonwealth should adopt best practices from the private sector to improve its employee suggestion program in order to reward employees for new ideas that improve government service delivery and cost.*
- Approved unanimously.

➤ Vendor Monitoring and Compliance

- Secretary Hicks-Thomas noted that the current disbarment process makes it difficult to punish offenders. Deputy Director Joe Damico with the Department of General Services noted that his agency has oversight on several contractual arrangements. He noted that administrators of the contract usually can resolve most conflicts. If that does not provide a resolution, then it goes to the Attorney General's office for resolution. He noted that performance monitoring is occurring and there might be recommendations in the future, but unsure as to whether there is a problem. Mr. McTigue noted his previous work on contracts

and their monitoring. Chairwoman Cox noted that this requires some additional information gathering.

➤ Social Media Policy

- Chairwoman Cox noted the long-term necessity to tackle this and should be more progressive than reactive Representatives from the Department of Human Resources Management noted that policy is being developed. Chairwoman Cox noted from a service delivery aspect it is important going forward.
- *Recommendation: The Commonwealth should establish a uniform social media policy for state agencies for their service delivery.*

Public Comment

Ginger Stanley from the Virginia Press Association. She spoke on the sunshine laws that have been reviewed by the FOIA Council including electronic meetings. It started as a pilot program and has been expanded over the years. She suggested that the FOIA Council should be the entity to consider changes. She noted her appreciation of the transparency efforts of the committee.

Chairwoman Cox adjourned the meeting at 5:04.